

VICTIMS' COMMISSIONER FOR ENGLAND AND WALES

STRATEGY June 2019-June 2022

INTRODUCTION

The purpose of this document is to set out the Victims' Commissioner for England and Wales' (VC) strategy for her first term, between June 2019 and June 2022. The Victims Commissioner is Dame Vera Baird QC.

This plan sets out high level strategic priorities for the VC and should be read in conjunction with the relevant annual VC workplan and stakeholder engagement plan.

THE VC'S STATUTORY REMIT

Pursuant to Section 49 of the Domestic Violence, Crime and Victims Act 2004, the VC must:

- (a) promote the interests of victims and witnesses;
- (b) take such steps as he considers appropriate with a view to encouraging good practice in the treatment of victims and witnesses;
- (c) keep under review the operation of the Code of Practice issued under section 32.

The Commissioner may:

- (a) make proposals to the Secretary of State for amending the Code;
- (b) make a report to the Secretary of State;
- (c) make recommendations to an authority within his remit;
- (d) undertake or arrange for or support (financially or otherwise) the carrying out of research;
- (e) consult any person he thinks appropriate.

If the Commissioner makes a report to the Secretary of State:

- (a) the Commissioner must send a copy of the report to the Attorney General and the Lord Chancellor;
- (b) the Secretary of State must lay a copy of the report before Parliament and arrange for the report to be published.

The Commissioner must provide advice if required to the ministry of the crown.

STRATEGIC AIMS 2019 - 2022

The VC is committed to ensuring victims are supported in coping and recovering from the impact of crime and are empowered to play a full part in the criminal justice system of England and Wales. This means they are able to access victim services that are tailored to their needs, they receive their entitlements as set out in the Victims' Code, and they are treated with respect and decency by all the agencies who come into contact with them.

She intends to work towards a Victims' Law, so that these aims become their legal rights and she wants to see the provisions of the Human Rights Act 1998 and the Equality Act 2010 utilised to ensure equality and diversity of provision and support.

She is further committed to championing the cause of victims in all forums where their interests are at stake, including Crown and Magistrates Courts, Coroners inquests, Parole Board hearings and Mental Health Review Tribunals.

She is determined to be a voice for all victims, and intends to inform her message to policy makers and service providers by reference to victims and witnesses' lived experience.

The VC has five key strategic aims:

A. Work with criminal justice agencies to ensure victims of crime are treated well, with a focus on the treatment of victims in the court room, so as to aid them to give best evidence as well as the support on offer to enable them to cope and recover from the impact of crime.

B. Monitor and report on criminal justice agencies' compliance with the requirements of the Code of Practice for Victims of Crime and the Witness Charter; identify areas that are deficient and make recommendations for change based on evidence of best practice; improve public awareness of entitlements.

C. Ensure the interests of victims and witnesses are fully considered at all stages in any proposals for development and/or change to the criminal justice system and its constituent agencies, including to victim support services and any related or other agencies whose activities may impact on victims.

D. Through regular contact with victims and practitioners of victims' services, articulate a view of the criminal justice system from the perspective of victims; contribute to, review and challenge decisions taken by policy makers and those responsible for developing practice.

E. Through gaining first-hand knowledge and understanding of victims' services, identify and actively promote examples of good practice and excellence.

ETHICS AND BEHAVIOURS

The VC will work in accordance with the Nolan principles. She and her team will aspire to demonstrate positive and ethical standards of behaviour at all times:

- **Human rights:** Ensure all victims and witnesses enjoy full respect and support for all of their human rights throughout the processes in which they are present with that status.
- **Independent:** Taking into account, with equal measure, the views of all victims and stakeholders, making independent and impartial assessments of policy and practice and offering a perspective independent of government.
- **Public Interest:** In all external relations with victims, the public, with government and the CJS agencies, the VC and the OVC will endeavour to deal fairly, openly and supportively, with the intention of serving the public interest in every interaction
- **Equality:** VC work will be targeted on all communities, mindful of the nine protected strands within the Equality Act 2010: age, disability, gender reassignment, marriage, pregnancy/maternity, race, religion/belief, sex and sexual orientation.
- **International provisions:** Utilise international provisions, ratified or adopted by the Government, on the treatment and support of victims and witnesses to argue the lawfulness or appropriateness of aspects of their treatment in England and Wales and to consult with and use comparator criminal justice systems.
- **Analytical:** Ensure a strategic approach to the use of research and analysis is in operation in accordance with the *HM Treasury (2011) Magenta Book: Guidance for Evaluation*, including employing a rigorous analytical approach to all aspects of the remit of the VC.
- **Collegiate:** A collaborative, open and friendly working relationship between the VC and members of the OVC team, as well as with all stakeholders. Willingness to provide and receive both support and challenge.
- **Transparent:** A presumption of full openness and disclosure about the work of the VC.
- **Reflective:** Reflective about the work and performance of the VC and her team and how it can be improved. Open to different approaches. Empathetic to the experience of victims and witnesses.
- **Fairness:** Ensure we deal with each individual fairly and with sensitivity. A commitment at all times to identify where there is inequality in the services provided to victims, potentially according to their demographic characteristics, crime type, geographical area or the services and criminal justice agencies that they encounter.

OBJECTIVES

The VC's strategic aims will be underpinned by a number of objectives. Some of these are underway already, whereas others are in development. Most objectives will contribute to more than one aim, but for simplicity's sake are grouped separately:

A. Ensure all victims of crime are properly empowered to cope and recover from the impact of crime, by being treated in a positive, inclusive and respectful way by all agencies, particularly those in the criminal justice system.

- Engage with police, judiciary and legal profession to build greater awareness and sensitivity towards the needs and interests of victims, with a view to improving their experience in the court room as well as at inquests, parole hearings and mental health review tribunals.
- Continue to work with agencies and third sector organisations to develop training and messages for staff in respect of victim awareness.
- Engage with law schools and colleges to talk to students and future legal practitioners about victim awareness with a view to informing the practice and culture of future prosecutors and judges.
- Continue to include the quality of engagement between practitioners and victims as a part of all future reviews.
- Through engagement with victims and their support organisations, feedback victim experiences to criminal justice agencies, so that it can help to shape policy and practice.
- Raise public awareness of the victim experience of the criminal justice process through media and speaking opportunities

B. Victims and witnesses are given their entitlements in accordance with the requirements of the Victims' Code and the Witness Charter.

- Undertake regular reviews of areas of the Victims' Code and publish findings and recommendations.
- Undertake an annual VCOP compliance assessment and report findings to Parliament.
- Follow up and monitor the Government's response to VC recommendations and seek to evaluate the impact where recommendations have been fully implemented.
- Raise with Ministers, policy makers and Police and Crime Commissioners (PCCs) persistent non-compliance with the Code and highlight non-compliance through the VC reviews and website.
- Regular engagement with the Association of Police and Crime Commissioners, to support their delivery of victims' service and to challenge when areas of poor compliance come to light.
- Ensure witnesses to a crime are treated with respect and have support for their consequential needs from all the relevant agencies

C. Feed into strategic changes to provision for victims, including the Victim Strategy, the VAWG Strategy, the Domestic Abuse Bill so that the needs of victims are reflected appropriately. In particular, drive the development of the promised Victims' Bill.

- Ensure the victims voice is heard and victims' rights are advocated to government, by continuous engagement through membership of the Criminal Justice Board(CJB), the MoJ Victims Panel, CJB sub-groups other relevant policy making bodies.
- Liaise with the judiciary at all levels to raise victims' issues, seeking a place to advocate for victims wherever they should be heard.
- Monitor and feed into the implementation of the proposals contained within the Government's Victim Strategy.
- Develop within the criminal justice system a shared appreciation that victims' rights and interests are not antipathetic to those of defendants and that public confidence in fair trials requires both the care of victims and the protection of defendants' rights.
- Feed into the Government consultation on the future of its Violence Against Women and Girls strategy (VAWG).
- Liaise with third sector providers, charities and legislators as well as Ministers and officials in respect of legislation.
- Use media and speaking opportunities to highlight opportunities for change.
- Work collaboratively with the Domestic Abuse Commissioner, setting out the basis for engagement in a joint memorandum of understanding.
- Assess opportunities for evaluating the impact of new strategies and legislation.
- Work closely with the Welsh Assembly Government having regard to their legislation in this area and exchange good practice between England and Wales.

D. Victims are offered and receive high quality victims support services wherever they live, tailored to their needs and negotiated with them. Where appropriate, they are supported in a trauma-informed way by experienced specialist services. At the end of their engagement, they should feel that they have been treated as valued and respected citizens, helped to leave the negative impacts of their victimhood behind and able to go forward positively.

- Organise regular focus groups with victims or victim representatives to receive feedback and first-hand accounts of victim experiences.
- Meet with and challenge ministers and policy leads in respect of victim services, policy and practices.
- Develop systems for regular engagement with third sector service providers and charities campaigning on victim related issues.
- Maintain VC press and social media profile, so that victims and public are aware about VC work and how to contact the OVC.
- Use the VC website to provide a continual update on all the VC's work and actively seeks victim feedback.
- Increase transparency of meetings between the VC and ministers and heads of agencies so that victims, wider public and media have a greater awareness of her work.

- Issue quarterly VC newsletter updating victims and practitioners on VC activity and current issues.

E. Identify and actively promote examples of best practice and excellence.

- Encourage and support the criminal justice agencies in improving practice for victims and witnesses and utilise visits across England and Wales to identify and promote best practice
- Work with policymakers and service providers to develop a clearer understanding of “what good looks like”.
- Continue to develop the VC website so that it offers practitioners new examples of good practice.
- Undertake “good practice reviews”.

MEASURES

The key measures we will need to monitor these aims and objectives are:

Resource: The staff resource that can be applied to undertaking reviews

Progress: The number of reviews completed and published and the quality of evidence they present

Progress: Quarterly editions of VC News

Progress: A programme of engagement with victims.

Progress: Increased press and social media coverage of VC activity

Outcomes: VC recommendations accepted and implemented

Outcomes: Policy makers and practitioners taking on board changes advocated by the VC

Outcomes: VC influencing policy formation

Outcomes: Greater awareness of the VC’s work, as evidenced by high levels of contact with victims through correspondence, more invitations to meet with victims’ groups and practitioners, increased number of Twitter followers, etc.

Outcomes: Examples of good practice being implemented more widely

There will be a range of other measures which will need to be looked at different levels and with different frequencies. Progress on key objectives will need to be monitored.

RISKS

The VC’s key strategic risks include:

Budget: Insufficient funds to deliver the strategy;

Political instability: A change of political direction due to Ministerial appointments;

Staff recruitment: The VC is unable to recruit the staff she requires, who have the necessary skill set, in timely way, therefore having a detrimental impact on her small team's output of work; time lags between staff recruitment delaying the work programme.

IT failures: MoJ IT failing to provide adequate support to deliver the business

Reputational Damage: Inaccurate information published in VC reviews of statements that cause the VC and Department reputational damage.

Strategy: The VC is unable to obtain sufficient support for the strategy from internal and external stakeholders.

IMPLEMENTATION

It is important the VC receives buy-in to the strategy from those who will have to implement it, including her team, as well as internal and external stakeholders.

This delivery of this three-year strategy will be supported by annual business plans, a stakeholder engagement plan and a communication plan, all of which will be reviewed on a regular basis. Progress in delivering the strategy will be clearly documented in the VC's annual reports and website.